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HOUSE BILL 2500

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State of Washington

55th Legislature

1998 Regular Session

By Representatives Sheahan, Appelwick, McMorris, Radcliff, Alexander, Grant, O'Brien, Doumit, Ogden and Thompson

Read first time 01/14/98. Referred to Committee on Law & Justice.

1 AN ACT Relating to the uniform act on fresh pursuit; and amending  
2 RCW 10.89.010 and 10.89.050.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 10.89.010 and 1943 c 261 s 1 are each amended to read  
5 as follows:

6 Any member of a duly organized state, county or municipal peace  
7 unit of another state of the United States who enters this state in  
8 fresh pursuit, and continues within this state in such fresh pursuit,  
9 of a person in order to arrest him on the ground that he is believed to  
10 have committed a felony in such other state(~~(7)~~) or a violation of the  
11 laws of such other state relating to driving while intoxicated, driving  
12 under the influence of drugs or alcohol, driving while impaired, or  
13 reckless driving shall have the same authority to arrest and hold such  
14 person in custody as has any member of any duly organized state, county  
15 or municipal peace unit of this state, to arrest and hold in custody a  
16 person on the ground that he is believed to have committed a felony or  
17 a violation of the laws of such other state relating to driving while  
18 intoxicated, driving under the influence of drugs or alcohol, driving  
19 while impaired, or reckless driving in this state.

1       **Sec. 2.** RCW 10.89.050 and 1943 c 261 s 5 are each amended to read  
2 as follows:

3       The term "fresh pursuit" as used in this chapter, shall include  
4 fresh pursuit as defined by the common law, and also the pursuit of a  
5 person who has committed a felony or who reasonably is suspected of  
6 having committed a felony or a violation of such other state relating  
7 to driving while intoxicated, driving under the influence of drugs or  
8 alcohol, driving while impaired, or reckless driving. It shall also  
9 include the pursuit of a person suspected of having committed a  
10 supposed felony, or a supposed violation of the laws relating to  
11 driving while intoxicated, driving under the influence of drugs or  
12 alcohol, driving while impaired, or reckless driving, though no felony  
13 or violation of the laws relating to driving while intoxicated, driving  
14 under the influence of drugs or alcohol, driving while impaired, or  
15 reckless driving actually has been committed, if there is reasonable  
16 ground for believing that a felony or a violation of the laws relating  
17 to driving while intoxicated, driving under the influence of drugs or  
18 alcohol, driving while impaired, or reckless driving has been  
19 committed. Fresh pursuit as used herein shall not necessarily imply  
20 instant pursuit, but pursuit without unreasonable delay.

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